IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1731 OF 2005

Shri.Sonu Roopchand Gauri ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.V.V.Khanolkar for Applicant.

Mr.A.S.Gadkari, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 17, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. It is seen that cross complaints have been filed between the parties. Even the father of the Applicant has suffered grievous injury during the assault. Father of the Applicant is hospitalised.

3. According to the prosecution, the

Applicant has taken active part in the assault. However, it is seen that the role of accused Nos.1 and 2 is no different. Those two accused have been released on bail by the lower Court. State has not questioned the correctness of that decision passed by the lower Court.

4. Taking overall view of the matter and in the peculiar facts and circumstances of the case, the Applicant is directed to be released on bail on the following conditions :

(a) The Applicant is released on bail in connection with C.R.No.36 of 2005 registered with Samata Nagar Police Station on executing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with one surety in the like amount.

(b) The Applicant shall report to the Investigating Officer twice a week till the filing of the charge-sheet.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the

prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

5. Application disposed of on the above terms.

A.M.KHANWILKAR, J.